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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/665,349	09/18/2000	Mark A. Harper	10003223-1	4554

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EXAMINER

THEIN, MARIA TERESA P. O.

ART UNIT

PAPER NUMBER

3625

DATE MAILED: 12/18/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/665,349

Applicant(s)

HARPER ET AL

Examiner

Marissa Thein

Art Unit

3625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 September 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 September 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2 6) ☐ Other:

DETAILED ACTION

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: Figure 1, ref. no. 13. A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Objections

Claim 7, line 2 is objected to because of the following informalities: "address for comprises" should be --address comprises--. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,023,593 to Tomidokoro in view of PCT Publication No. WO/9718636 to Mizuno. Regarding to claims 1-7, Tomidokoro discloses the determination of a geographical area within which the hard copy output engine is to be deployed; a consumable supplier; product descriptors for consumable supplies associated with the hard copy output engine; wherein the hard copy output engine is

chosen from a group consisting of: facsimile machines, photocopiers, and printers; and a vendor. (See at least abstract, summary, col. 3, line 52 – col. 4, line 17; col. 5, line 13 – col. 6, line 67; col. 12, line 66–col. 7, line 17) However, it does not disclose the determination of an electronic address which comprises a universal resource locator and which can be modified. Mizuno, on the other hand, teaches the electronic address (see at least abstract, summary, page 3, line 27 – page 4, line 25; page 5, lines 23-30; page 6, lines 10-14; page 7, lines 17-26) It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the method of Tomidokoro, to include the electronic address, as taught by Mizuno, in order to provide a system for enabling communication between the central control apparatus and the copier group, so as to order a consumable item from a consumable supplier when the consumable item is requested from one of the copier.

Regarding claims 8-14, Tomidokoro discloses a method of obtaining consumable supplies comprising: the determination of an amount of a consumable for the hard copy output engine is less than a threshold amount; a vendor of the consumable; initiating communication with the supplier; transmitting a message of ordering a predetermined quantity of the consumable; a sensor in the hard copy output engine that senses an amount of the consumable is less than the threshold amount; and wherein the hard copy output engine is chosen from a group consisting of: facsimile machines, photocopiers and printers. (See at least abstract, summary, col. 3, line 52 – col. 4, line 17; col. 4, lines 55-67; col. 5, line 13 – col. 6, line 67; col. 12, line 4–col. 13, line 17) However, it does not disclose an electronic address which comprises a universal

resource locator and wherein initiating communication comprises initiating a servlet. Mizuno, on the other hand, teaches the electronic address and servlet (see at least abstract, summary, page 3, line 27 – page 4, line 25; page 5, lines 23-30; page 6, lines 10-14; page 7, lines 17-26). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the method of Tomidokoro, to include the electronic address, as taught by Mizuno, in order to provide a system for enabling communication between the central control apparatus and the copier group, so as to order a consumable item from a consumable supplier when the consumable item is requested from one of the copier.

Regarding to claims 15-20, Tomidokoro discloses a computer implemented control system for a hard copy output engine, comprising: memory included in the hard copy output engine; processing circuitry configured to determine that an amount of a consumable for the hard copy output engine is less than a threshold amount and initiate communication with a supplier; a vendor of consumables; transmission of a message of ordering a predetermined quantity of the consumable; and the hard copy output engine is chosen from a group consisting of: facsimile machines, photocopiers, and printers. (See at least abstract, summary, col. 3, line 52 – col. 4, line 17; col. 4, lines 55-67; col. 5, line 13 – col. 6, line 67; col. 12, line 4-col. 13, line 17) However, it does not disclose an electronic address which comprises a universal resource locator and a servlet. Mizuno, on the other hand, teaches the electronic address and servlet (see at least abstract, summary, page 3, line 27 – page 4, line 25; page 5, lines 23-30; page 6, lines 10-14; page 7, lines 17-26). It would have been

obvious to one of ordinary skill in the art at the time of the invention was made to modify the method of Tomidokoro, to include the electronic address, as taught by Mizuno, in order to provide a system for enabling communication between the central control apparatus and the copier group, so as to order a consumable item from a consumable supplier when the consumable item is requested from one of the copier.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 5,305,199 to LoBiondo et al. discloses a reprographic machine which includes tracking system for monitoring consumable supplies, however, it does not disclose electronic address comprising universal resource locator.

U.S. Patent No. 6,170,007 to Venkatraman et al. discloses web access functionality into devices.

U.S. Patent No. 6,233,409 to Haines et al. discloses a redundant reorder prevention system.

U.S. Patent No. 6,351,621 to Richards et al. discloses a wireless communication with control circuitry and memory which is associated with replaceable modules.

U.S. Patent No. 6,405,178 to Manchala et al. discloses a computer system for automatically ordering consumables for a printer or similar machine where the inventory is monitored.

U.S. Patent No. 6,430,711 to Sekizawa discloses a machine monitor system for monitoring the state of each of a plurality of machines connected via a computer network.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marissa Thein whose telephone number is 703-305-5246. The examiner can normally be reached on Monday-Friday 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn Coggins can be reached on 703-308-1344. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9326 for regular communications and 703-872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

mtot
December 13, 2002


WYNN W. COGGINS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

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